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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

MAILED

JUL 16 2007

Technology Center 2100

Application Number: 10/046,907
Filing Date: January 17, 2002
Appellant(s): OLSEN ET AL.

Francis E. Morris
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed on March 05, 2007 appealing from the Office action mailed on March 02, 2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences, which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

Art Unit: 2161

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

U.S. Patent No. 6,741,980 Langseth et al.

May 25, 2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 44-52, 55-66 and 84, are rejected under 35 U.S.C. 102(e) as being anticipated by Langseth et al. (U.S. Patent No. 6,741,980).

As to claim 44, Langseth et al. (hereinafter referred as Langseth) discloses a system for processing data from one or more time series [e.g., Title; Abstract; col. 3, lines 9 – col. 4, lines 51], comprising:

a) one or more processing modules for processing the time-stamped data and time series data [e.g., the unit 10, Fig. 1 and associated texts; wherein, the email sent out by a market update from a finance is an example of the claimed time-stamped data; and the displaying of the Daily Market Summary activity chart at Fig. 13 is an example of the claimed time series data];

b) one or more connections for linking the modules in a network [e.g., the unit 24, Fig. 3 and associated texts];

c) a first subsystem for activating the one or more processing modules and for moving the data through the network [e.g., the units: 44, 42, Fig. 2B and associated texts; col. 11, lines 45-50; col. 12, lines 4-33].

As to claim 45, except the features recited in claim 44, Langseth further discloses that the system including a type system [e.g., the channel databases system, col. 4, lines 16-23] comprising: (a) one or more types [e.g., col. 7, lines 10-11]; and (b) a relation among the one or more types [e.g., col. 7, lines 11-15].

As to claim 46, except the features recited in claim 45, Langseth further discloses that the system including a grammar to describe the types in the type system [e.g., the predetermined conditions for processing a service, col. 7, lines 56 – col. 8, line 13].

As to claim 47, except the features recited in claim 45, Langseth further discloses that the one or more processing modules comprise one or more ports [e.g., the

Art Unit: 2161

Channels 40 associated with the Data Distribution unit 42, Fig. 2A and associated texts; the Cisco PIX configuring processing, col. 21, lines 12-25].

As to claim 48, except the features recited in claim 47, Langseth further discloses that the one or more binding operators for creating the one or more connections to link two or more of the ports [e.g., the Internet binding processing of Fig. 7 and associated texts].

As to claim 49, the claimed feature – “at least one of the types are assigned to at least one of the ports” is met by the functions provided by ActiveX DLLs of MTS [e.g., col. 13, line 6-16].

As to claim 50, except the features recited in claim 49, Langseth further discloses that the system having: (a) a configure method for checking that the types on said ports that are linked by one of the connections are consistent [e.g., col. 20, lines 58-60].

As to claim 51, except the features recited in claim 44, Langseth further discloses that processing modules comprise: (a) a process data method to process the data [e.g., the method 10, Fig. 1 and associated texts].

As to claim 52, except the features recited in claim 51, Langseth further discloses that the subsystem executes the process data method [e.g., the unit 47, Fig. 3; Fig. 4 and associated texts].

As to claims 55-56, except the features recited in claim 44, Langseth further discloses that the processing modules comprise one or more input and output ports [e.g., the units: 200, Fig. 2A and associated texts].

As to claims 57 and 58, except the features recited in claim 56, Langseth further discloses that the sub-processing modules further comprise: (a) at least one end of data method to indicate that no more data will be provided to the one or more input ports of the processing modules [e.g., the end of jobs and end of services queuing technique, col. 24, lines 4-6].

As to claim 59, except the features recited in claim 56, Langseth further discloses that the processing modules input at least one input datum of the data on the input ports, process the at least one input datum to produce at least one output datum, and output the at least one output datum on the output ports [e.g., Fig(s). 4-5 and associated texts].

As to claim 60, except the features recited in claim 59, Langseth further discloses that a build-up delay method that computes how much time the processing module

Art Unit: 2161

needs before the processing module can output the at least one output datum that is meaningful [e.g., col. 4, lines 5 – 28].

As to claim 61, except the features recited in claim 59, Langseth further discloses that the processing modules further comprise one or more timer methods to process one or more timers [e.g., the calendar like schedule processing, col. 7, lines 61-67].

As to claim 62, except the features recited in claim 61, Langseth further discloses that the one or more timers indicate when the processing modules should output the at least one output datum on the output ports [e.g., col. 3, lines 9-32] .

As to claim 63, except the features recited in claim 62, Langseth further discloses that the processing modules compute an average of input data and output the average at its the outputs at time intervals [e.g., col. 3, lines 51-53].

As to claim 64, except the features recited in claim 63, Langseth further discloses that the time intervals are hourly [e.g., col. 4, lines 55-63].

As to claim 65, except the features recited in claim 59, Langseth further discloses that the processing module comprise: (a) at least one end of run method to indicate that the processing module should output any remaining the at least one output datum [e.g., the end-of-the-day market information checking processing, col. 5, lines 21-25].

As to claim 66, except the features recited in claim 65, Langseth further discloses that the first subsystem executes the end of run method [e.g., col. 5, lines 11-28].

As to claim 84, except the features recited in claim 44, Langseth further discloses that the data processed by the system is ordered according to the time-stamp and provided to the processing modules in order [e.g., col. 7, lines 64-67].

(10) Response to Argument

Appellant's arguments filed on March 05, 2007 have been fully considered but they are not persuasive.

The examiner disagrees with appellant's piecemeal interpretation and arguments against the 35 U.S.C. § 102(e) rejections.

The Applicant's Invention:

A computer-implemented system and method that provides one or more processing modules to process network time-stamped, time series data.

Appellant mainly argues that Langseth's system does not "teach or suggest applicants' system for processing time-stamped, time series data".

In response to appellant's arguments, the examiner first points out that Langseth clearly defines that his system as following:

"This invention relates to an automatic real-time personalized

Art Unit: 2161

intelligence network that actively delivers personalized and timely informational and transactional content from an OLAP-based system to individuals through use of a high-speed processing and output delivery system to email, pager, mobile phone, fax, telephone, personal digital assistants, wireless-access protocol (WAP) device and other terminal devices. Users may subscribe to various channels of content and to specific services within each channel, that are delivered when a predetermined condition occurs (e.g., based on a schedule, when an exception condition occurs, or in response to a specific initiation request)" [col. 1, Field of The Invention]

As set forth above, Langseth's system applies On-Line Analytical (OLAP)

modules to process real-time and scheduled events set by users. Wherein, the real-time and users' scheduled events are deemed to be time series and time-stamped events.

For example, the examiner further directed appellant's attentions to a Daily Market Summary display (Fig. 13) produced by Langseth's system, wherein, the Figure clearly shows a piece of time-stamped information (e.g., Feb. 28, 2000, Time: 17:52) that corresponds to a specific user's event (e.g., YAN DURLING's Fax activity).

Furthermore, the subfigures associated with the daily market stock exchange volume (700-12000) further indicate at least two increasing order time-series information processing, thus, in contrary to appellant's arguments, the prior art fully anticipates the claimed limitations.

As to the rest arguments, appellant merely rehashed issues already addressed above.

Based on the discussion above, because applicant does not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the

Art Unit: 2161

art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections, therefore, it is believed that the rejections on record should be sustained.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

Respectfully submitted,

Susan Y Chen
Examiner
Art Unit 2161

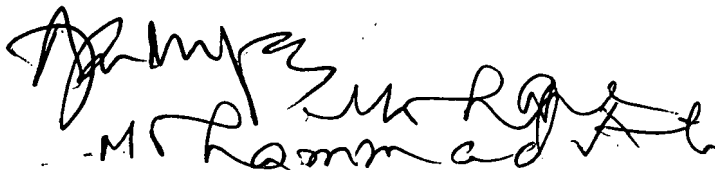
Conferees:

Apu Mofiz

SPE – AU 2161

For John Breene

SPE – AU 2162

Handwritten signatures of Apu Mofiz and John Breene. The signature of Apu Mofiz is written over the text 'SPE – AU 2161'. The signature of John Breene is written over the text 'For John Breene' and 'SPE – AU 2162'. The signature of John Breene includes the word 'Mohammad' written below it.